

Appl. No. 10/028,140
Amendment and/or Response
Reply to Office action of 29 March 2004

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REMARKS / DISCUSSION OF ISSUES

Claims 1-3, 5-14 and 17-22 are pending in the application.

The Office action rejects claims 7-11 and 13-14 under 35 U.S.C. 102(e) over Yokoyama (USP 6,547,400). The applicant respectfully traverses this rejection.

Claim 7, upon which claims 8-12 depend, claims a light source that flashes different colored light bars onto a light valve. Similarly, claim 13, upon which claim 14 depends, claims a method of producing multi-spectral light by selectively activating subsets of LEDs to produce color light bars dependent upon an image source.

The Examiner's attention is requested to **MPEP 2131**, wherein it is stated:

"A claim is anticipated only if *each and every element* as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The *identical invention* must be shown in as *complete detail* as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Yokoyama teaches an array of LEDs, but does not teach that this array of LEDs is configured to produce color light bars. Yokoyama teaches that each of the red, green, and blue LEDs may be illuminated sequentially to reduce power consumption (Yokoyama, column 13, lines 42-49), and the Office action asserts that this sequential illumination of each color will produce color light bars. The applicant respectfully disagrees with this characterization of Yokoyama.

Yokoyama teaches a conventional two-dimensional field of pixels, each pixel comprising a red LED, a green LED, and a blue LED. During the aforementioned sequential activation of each color, when the red LEDs are illuminated, the entire field will appear red; when the green LEDs are illuminated, the entire field will appear green; when the blue LEDs are illuminated, the entire field will appear blue. At no time during Yokoyama's sequential activation of the red, green, and blue LEDs will color bars appear. Although the LEDs are arranged linearly, and could, using the applicant's teaching, produce color bars, the fact that Yokoyama teaches that all of the similarly colored LEDs in the field are activated at the same time negates the assertion that color bars are produced by Yokoyama.

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Because Yokoyama fails to teach a light source that produces color bars, as specifically claimed in each of the independent claims 7 and 13, the applicant respectfully requests the Examiner's reconsideration of the rejection of claims 7-11 and 13-14 under 35 U.S.C. 102(e) over Yokoyama.

The Office action rejects claim 12 under 35 U.S.C. 103(a) over Yokoyama. The applicant respectfully traverses this rejection based on the remarks above regarding claim 7, upon which claim 12 depends.

Because Yokoyama fails to teach or suggest a light source that produces color bars, as specifically claimed, the applicant respectfully requests the Examiner's reconsideration of the rejection of claim 12 under 35 U.S.C. 103(a) over Yokoyama.

In view of the foregoing, the applicant respectfully requests that the Examiner withdraw the objection(s) and/or rejection(s) of record, allow all the pending claims, and find the application in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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